

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY, CALIFORNIA  
AND RECORD OF ACTION**

44

February 10, 2004

**FROM:**       **DAVID H. SLAUGHTER**, Director  
Real Estate Services Department

**SUBJECT:    AMENDMENT NO. 1 TO CONTRACT NO. 96-574 WITH THE CHILDREN'S  
FUND AND TRANSFER OF COUNTY PROPERTY TO COMMUNITY ACTION  
PARTNERSHIP OF SAN BERNARDINO COUNTY**

**RECOMMENDATIONS:**

1. Approve Amendment No. 1 to Memorandum of Understanding (MOU), Contract No. 96-574, between the County and The Children's Fund (FUND), a California not-for-profit benefit corporation, to assign said MOU to the Community Action Partnership of San Bernardino County (CAPSB), a non-profit corporation.
2. Determine that the County's ownership interest in the property known as the Obershaw House located at 1101 North "E" Street in San Bernardino is no longer necessary for County or other public purposes.
3. Approve the donation of Obershaw House to CAPSB and authorize the Chairman to execute the deed to convey said property to CAPSB.

**BACKGROUND INFORMATION:** On June 20, 1996, Mr. Chuck Obershaw donated a two-building apartment complex located at 1101 North "E" Street in San Bernardino (commonly known as the Obershaw House) to the Fund, which concurrently donated the property to the County. On June 25, 1996, the Board accepted the donation and approved an MOU (Contract No. 96-574) between the County and the Fund, which set forth certain restrictions and defined the mandated use of Obershaw House as transitional housing for low-income families. The Community Services Department (CSD) was designated as the department responsible for the administration, oversight, and use of Obershaw House.

On April 1, 2003, the Board approved the transition of CSD from San Bernardino County to a non-profit corporation separate from the County effective July 1, 2003. CSD subsequently changed its name to CAPSB. The approved transition plan stated that the County would include as part of the transition all assets in the possession of CAPSB that were purchased with CAPSB program funds or donated in support of programs administered by CAPSB. Such assets include the Obershaw House.

To ensure the continued use of Obershaw House for the purposes set forth in the MOU, the County must assign the MOU to CAPSB. Amendment No. 1 provides for the assignment of the MOU and the transfer of Obershaw House to CAPSB. The Fund is also a signatory to

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Record of Action of the Board of Supervisors

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Amendment No. 1 and as such consents to the donation of Obershaw House and the assignment of the MOU to CAPSB. In addition to accepting the assignment of the MOU and the donation of Obershaw House, CAPSB agrees to indemnify, defend and hold harmless the County from any liability resulting from said assignment and said donation.

The Board is authorized to donate this property per Section 25365.5 of the Government Code.

**REVIEW AND APPROVAL BY OTHERS:** This item has been reviewed by the Board of CSD on March 18, 2003 (CSD subsequently changed its name to CAPSB); County Counsel (Fiona Luke, Deputy County Counsel, 387-5455) on September 19, 2003; and the County Administrative Office [Daniel R. Kopp (387-3828) and Gary Morris (388-0356), Administrative Analysts] on February 2, 2004.

**FINANCIAL IMPACT:** There is no cost associated with assignment of the MOU or the donation of this property.

**COST REDUCTION REVIEW:** The County Administrative Office has reviewed this agenda item, concurs with RESD's proposal, and recommends this action because the transfer of title to the property is required as part of the approved CSD transition plan. The County will be relieved of any ongoing obligations or liabilities associated with the property.

**SUPERVISORIAL DISTRICTS:** All

**PRESENTER:** David H. Slaughter, Director, 7-7813

SH: 7-7814  
mf: 7-7825